

REMARKS

This Response is submitted in reply to the final Office Action dated July 29, 2011. Claims 37 to 48 are pending in the present application. Claims 1 to 36 stand previously canceled. Claims 37 to 48 are rejected under 35 U.S.C. §103(a). Claims 39, 41 and 45 are amended herein for clarity. No new matter has been added by these amendments. A Request for Continued Examination is submitted herewith. The Commissioner is hereby authorized to charge deposit account 02-1818 for the cost of the Request for Continued Examination and any fees which are due and owing. Applicant respectfully submits that the rejections have been overcome, as set forth in detail below.

As noted above, Applicant has filed a Request for Continued Examination with this Response. Applicant requests that the Examiner allow the application or provide an upcoming Office Action which will "... identify any claims which he or she judges, as presently recited, to be allowable and/or ... suggest any way in which he or she considers that rejected claims may be amended to make them allowable" in accordance with §707.07(d) of the MPEP.

The Office Action rejected Claims 37 to 48 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2001/0053247 to Sowinski et al ("Sowinski") in view of U.S. Patent No. 6,821,034 to Ohmura ("Ohmura") and further in view of U.S. Publication No. 2002/0145755 to Yamazaki et al. ("Yamazaki"). In light of the present amendments, Applicant respectfully disagrees with and traverses these rejections as discussed below, and respectfully request that these rejections be withdrawn.

Applicant notes that independent Claim 37 has been amended for purposes of clarity. Specifically, Claim 37 has been amended to recite, at least in part, "a user terminal having a display device located at a first location; a server having an image database, said server located at a second location, said second location being different than said first location." Additionally, Claim 37 has been amended to clarify "begin selection of an image-processing mode by enabling a user to select one of: (i) a predetermined sample image stored in the image database, the predetermined sample image being not owned by the user; or (ii) an image stored in the user terminal." Support for these amendments can be found, for example, in paragraphs 4, 5, 6, 14, 18 and 20 of the specification and in Figure 1.

Sowinski in view of Ohmura in view of Yamazaki fails to render obvious in combination with the other elements of Claim 37, a user terminal having a display device located at a first

location; a server having an image database, said server located at a second location, said second location being different than said first location; a print system; at least one processor; and at least one memory device storing a plurality of instructions which when executed by the at least one processor, cause the at least one processor to operate with the user terminal, the server and the print system to: (a) begin selection of an image-processing mode by enabling a user to select one of: (i) a predetermined sample image stored in the image database, the predetermined sample image being not owned by the user; or (ii) an image stored in the user terminal (ii) an image stored in the user terminal. In response to the predetermined sample image being selected, the plurality of instructions, when executed by the at least one processor, cause the at least one processor to operate with the user terminal, the server and the print system to: (i) cause the server to generate a plurality of first image-processing-mode-selection images based on said predetermined sample image, each of said first image-processing-mode-selection images being subjected to different image processes; (ii) cause the display device to display each of said generated first image-processing-mode-selection images; (iii) enable the user to select one of the displayed first image-processing-mode-selection images; (iv) in response to one of the displayed image-processing-mode-selection images being selected, cause the server to store a first image processing mode based on said selected first image-processing-mode-selection image; and (v) cause the printer system to execute print processing for subsequent images transmitted from the user terminal to the server based on the first image processing mode stored by said server. In response to the image stored in the user terminal being selected, the plurality of instructions, when executed by the at least one processor, cause the at least one processor to operate with the user terminal, the server and the print system to: (i) transmit the image stored in the user terminal to the server; (ii) cause the server to generate a plurality of second image-processing-mode-selection images based on said transmitted image, each of said second image-processing-mode-selection images being subjected to different image processes; (iii) cause the display device to display each of said generated second image-processing-mode-selection images; (iv) enable the user to select one of the displayed second image-processing-mode-selection images; (v) in response to one of the displayed second image-processing-mode-selection images being selected, cause the server to store a second image processing mode based on said selection of the displayed second image-processing-mode-selection image; and (vi) cause the printer system to execute print processing based on the second image processing mode stored by said server.

Sowinski in view of Ohmura in view of Yamazaki fails to render obvious at least one memory device storing a plurality of instructions which when executed by the at least one processor, cause the at least one processor to operate with the user terminal, the server and the print system to begin selection of an image-processing mode by enabling a user to select one of: (i) a predetermined sample image stored in the image database, the predetermined sample image being not owned by the user; or (ii) an image stored in the user terminal in combination with the other elements of Claim 37.

For at least this reason, it is respectfully submitted that independent Claim 37 is patentably distinguished over Sowinski in view of Ohmura in view of Yamazaki and is in condition for allowance. Dependent Claims 38 to 40 depend directly from amended independent Claim 37 and are also allowable for the reasons given with respect to Claim 37 and because of the additional features recited in these claims.

Independent Claims 41 and 45 each include certain similar elements to independent Claim 37. For reasons similar to those discussed above with respect to independent Claim 37, independent Claims 41 and 45 (and dependent Claims 42 to 44 and 46 to 48) are patentably distinguished over Sowinski in view of Ohmura in view of Yamazaki and in condition for allowance.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

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